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Anju Tandon

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EXAMINER

GOYEA, OLUSEGUN

ART UNIT

PAPER NUMBER

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NOTIFICATION DATE

DELIVERY MODE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Advisory Action Before the Filing of an Appeal Brief	Application No. 10/736,181	Applicant(s) TANDON ET AL.	
	Examiner OLUSEGUN GOYEA	Art Unit 3687	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 July 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): 35 U.S.C. 112, 1st paragraph.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: 1-3,6-9,11,12 and 26-30.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Applicant's invention (including newly added amendments) is not allowable over the cited references as discussed below..
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/Matthew S Gart/
 Supervisory Patent Examiner, Art Unit 3687

Applicant's arguments regarding the rejection of claims 1, 7, 12 and 28-29 under 35 U.S.C. § 103(a) based on Fiascone (U.S. Patent Application No. 2005/0114239), Tkaczkyk (U.S. Patent Application No. 2004/0059597), Lyons (U.S. Patent No. 5,189,608), and Admitted Prior Art (Applicants' Specification) in view of Bissonett (U.S. Patent Application No. 2001/0051917), claims 2-3, 6, 8, 11 and 26-27 under 35 U.S.C. § 103(a) based on Fiascone, Tkaczkyk, Lyons, Admitted Prior Art, and Bissonett in view of Crozier (U.S. Patent No. 5,392,390) and claims 9, 14, 15, 18 and 22 under 35 U.S.C. § 103(a) based on Fiascone, Tkaczkyk, Lyons, Admitted Prior Art, and Bissonett in view of Their (U.S. Patent No. 7,130,822) have been fully considered but they are not persuasive.

Applicant submits Fiascone does not qualify as prior art under 102(a)/103(a) as asserted by the Examiner because Fiascone has a publication date of May 26, 2005 and the present application has a filing date of December 15, 2003.

Applicant argues that Fiascone is limited to a system which collects data from various sources, and then compiles the data together at the central collection point in a common data format. Once the data is in a common format, the data can be compared based on a user selected parameter. However, Fiascone does not disclose or contemplate a customization tool which is configured to allow an operator at a remote site to customize a standardized template. Fiascone does not disclose a system configured to consolidate data from a standardized template and data from a customized template into a master data format. Moreover, the system of Fiascone does not analyze, or classify un-reconciled data.

In addition, Applicant argues that Tkaczkyk discloses a system to create a plurality of standardized templates for inputting CS (clinical study) data, but not for converting or transforming the data from one format to another. As such, Tkaczkyk teaches away from the presently claimed invention, by requiring that the data be initially inputted in a format that is consistent with a master data format, so that when records are compiled with the master data, the data is able to be integrated into the master data without conversion or processing. Like Fiascone, Tkaczkyk, does not disclose or contemplate a customization tool which is configured to allow an operator at a remote site to customize a standardized template. Additionally, Tkaczkyk does not disclose a system configured to consolidate a data from a standardized template and data from a customized template into a master data format.

Furthermore, Applicant argues that Lyons discloses a system for standardizing the financial information accounting systems of an organization. However, the system does not provide for capturing data at a remote terminal or for identifying and analyzing un-reconciled data. Moreover, like Fiascone and Tkaczkyk, Lyons does not disclose or contemplate a customization tool which is configured to allow an operator at a remote site to customize a standardized template. Additionally, Lyons does not disclose a system configured to consolidate a data from a standardized template and data from a customized template into a master data format.

Applicant submits that neither Bissonett, Crozier, nor Their, disclose or contemplate systems that would cure the deficiencies of Fiascone, Tkaczkyk, or Lyons as discussed above. As such, Applicants assert that the cited references, alone or in combination, do not disclose or contemplate at least, "transmitting, by a computer based system for managing financial data, a standardized template for capturing remote financial data and a customization tool to a plurality of remote terminals, the standardized template operable on a plurality of operating systems, wherein the standardized template is customized with the customization tool to create a customized template for at least one of the remote terminals," or "matching, by the computer based system, the remote financial data from the standardized template and the customized template to master financial data based on a set of predetermined rules, wherein the master financial data is stored in a first format, a first remote terminal stores remote financial data in a second format which is receivable by the standardized template, and a second remote terminal stores remote financial data in a third format which is receivable by the customized template, and wherein the standardized template is configured to convert the remote financial data from the second format to the first format and the customized template is configured to convert the remote financial data from a third format to a first format" (emphasis added) as similarly recited in independent claims 1, 28, and 29.

Furthermore, Applicant submits that claims 2-3, 6-9, 11-12, 26-27 and 30 variously depend from independent claim 1. As such, Applicants assert that claims 2-3, 6-9, 11-12, 26-27 and 30 are differentiated from the cited references for the same reasons as set forth above, in addition to their own novel features.

In response to Applicant's above argument, Examiner respectfully disagrees.

Fiascone has a publication date of May 26, 2005 and a filing date of November 24, 2003. The present application has a filing date of December 15, 2003. Thus, the filing date of Fiascone predates the present application's filing date, and Fiascone qualifies as prior art under 35 U.S.C. 102(e)/103(a) as supposed to U.S.C. 102(a) as stated in the previous Office Action dated May 18, 2010.

In addition, Examiner notes Applicant's arguments are directed towards newly added amendments and an explanation of how the claims will be rejected under 35 U.S.C. 103(a) is provided below for appeal purposes:

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 20050114239 (Fiascone et al. – hereinafter referred to as Fiascone) in view of US 20040059597 (Tkaczkyk et al. – hereinafter referred to as Tkaczkyk), US 5189608 (Lyons et al. – hereinafter referred to as Lyons), "Admitted Prior Art" (APA – Applicant's specification) and US 20010051917 (Bissonett et al. – hereinafter referred to as Bissonette).

Referring to claim 1, Fiascone discloses a method and system comprising:

matching, by the computer based system, the remote financial data from the standardized template and the customized template to master financial data based on a set of predetermined rules; [see, paragraph 0023 (lines 9-11)]

wherein the master financial data is stored in a first format, wherein a first remote terminal stores remote financial data in a second format which is receivable by the standardized template, and wherein a second remote terminal stores remote financial data in a third format which is receivable by the customized template; (see, paragraph 0020, 0021 and 0023 – Each of the exchanges and/or brokerage houses

store and transmit data in different formats respectively, to the format module.)

identifying, by the computer based system, an un-reconciled amount based on the matching; (see, paragraph 0024)

analyzing, by the computer based system, the un-reconciled amount; [see paragraph 0025, 0026 (lines 1-8)]

transmitting, by the computer based system, a notification in response to the classification of the un-reconciled amount; [see paragraph 0025 - The unmatched/un-reconciled amounts are identified and presented to a user.]

processing, by the computer based system, the un-reconciled amount based on the classification; [see paragraph 0025, 0026 - The user is able to trace the details of the un-matched transaction and make necessary adjustments to clear the discrepancies.]

But Fiascone does not explicitly disclose a system for reconciling financial transaction comprising:

transmitting, by a computer based system for managing financial data, a standardized template for capturing remote financial data and a customization tool to a plurality of remote terminals, wherein the standardized template is operable on a plurality of operating systems, and wherein the standardized template is customized with the customization tool to create a customized template for the at least one of the remote terminals;

receiving, by the computer based system, the remote financial data from the plurality of remote terminals via the standardized template and the customized template;

wherein the standardized template is configured to convert the remote financial data from the second format to the first format and the customized template is configured to convert the remote financial data from a third format to a first format;

determining, by the computer based system, a classification of the un-reconciled amount; and

updating, by the computer based system, the master financial data based on the remote financial data.

However, Tkaczyk teaches a similar system with the limitations:

transmitting, by a computer based system for managing financial data, a standardized template for capturing remote financial data and a customization tool to a plurality of remote terminals, wherein the standardized template is operable on a plurality of operating systems, and wherein the standardized template is customized with the customization tool to create a customized template for the at least one of the remote terminals; (see paragraph 0015 (lines 17-18), 0018 (lines 10-15), 0026, 0035, 0037 - In one embodiment, each of the plurality of standardized templates may be reconfigured by the supervisor to prompt a user to enter a variety of information as needed for a specific clinical study.)

receiving, by the computer based system, the remote financial data from the plurality of remote terminals via the standardized template and the customized template; [see paragraph 0020, 0022, 0026, 0035, 0036]

In addition, Lyons teaches a system with the limitation: wherein the standardized template is configured to convert the remote financial data from the second format to the first format and the customized template is configured to convert the remote financial data from a third format to a first format; [see col. 3, lines 3-11; col. 37, lines 27-38; col. 38, lines 27-37 - The data are inputted in a plurality of second formats and converted from the different second formats to the first format.]

Further, APA teaches the limitation: determining, by the computer based system, a classification of the un-reconciled amount; [see Applicant's specification, paragraph 0002 - It is well known in the art that unmatched/un-reconciled transaction are marked as either write-off or the like in the reconciliation processes.]

Also, Bissonette teaches a system with the limitation: updating, by the computer based system, the master financial data based on the remote financial data. [see paragraph 0013, 0021, 0027]

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method and system according to Fiascone to have incorporated the limitations: transmitting, by a computer based system for managing financial data, a standardized template for capturing remote financial data and a customization tool to a plurality of remote terminals, wherein the standardized template is operable on a plurality of operating systems, and wherein the standardized template is customized with the customization tool to create a customized template for the at least one of the remote terminals; receiving, by the computer based system, the remote financial data from the plurality of remote terminals via the standardized template and the customized template; wherein the standardized template is configured to convert the remote financial data from the second format to the first format and the customized template is configured to convert the remote financial data from a third format to a first format; determining, by the computer based system, a classification of the un-reconciled amount; and updating, by the computer based system, the master financial data based on the remote financial data, in accordance with the teachings of Tkaczyk, Lyons, APA and Bissonette, in order to enter financial data via standardized and customized templates, reconcile financial data, as well as update balance sheets and the like based on the reconciliation process, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risks of unexpected results.

Independent claims 28 and 29 contain similar limitations as set forth in claim 1, and therefore would be rejected based on the same rationale.